

FISCAL NOTE
HB 151 - SB 274

February 13, 2005

SUMMARY OF BILL: Increases the penalty for the offense of domestic assault from a Class A misdemeanor to a Class E felony if the person intentionally, knowingly or recklessly causes bodily injury or causes another to fear imminent bodily injury. If the person intentionally or knowingly causes physical contact that would be regarded as extremely offensive or provocative contact, the penalty for the offense would increase from a Class B misdemeanor to a Class A misdemeanor.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$4,752,000/Incarceration*
Increase State Revenues – Not Significant

Increase Local Govt. Expenditures – Exceeds \$100,000**
Increase Local Govt. Revenues – Not Significant

Assumptions:

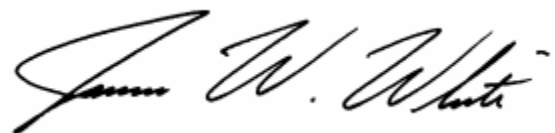
- Estimate 900 convictions for domestic assault will be elevated from a Class A misdemeanor to a Class E felony.
- Estimate 75 convictions for Class B misdemeanor domestic assault will be elevated to a Class A misdemeanor offense.
- Increases in state and local revenues from fines are not estimated to be significant.

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

***Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director